

**CITY COUNCIL OF THE CITY OF SAN DIEGO
CLOSED SESSION DOCKET
FOR
MONDAY, JANUARY 30, 2006
CITY ADMINISTRATION BUILDING
COMMITTEE ROOM – 12TH FLOOR
202 “C” STREET
SAN DIEGO, CA 92101**

NOTE: In accordance with the San Diego City Council Permanent Rule for Noticing and Conduct of Closed Session Meetings, adopted on February 28, 2005, a portion of the regular open meeting agenda of the City Council has been reserved for City Attorney comment, public comment, and City Council discussion of the content of this Closed Session Docket. **Public testimony for this Closed Session Agenda will be taken today during the 2:00 p.m. Council meeting.**

The City Council may meet in Closed Session immediately following the conclusion of the regular open session meeting on Monday, January 30, 2006, or may meet on Tuesday, January 31, 2006.

Conference with Legal Counsel - existing litigation, pursuant to California Government Code section 54956.9(a):

CS-1 *Affordable Housing Coalition of San Diego County and Citizens for Responsible Equitable Environmental Development v. City of San Diego*
San Diego Superior Court No. GIC 857723

Citizens for Responsible Equitable Environmental Development and Affordable Housing Coalition of San Diego County v. City of San Diego, et al
San Diego Superior Court No. GIC858098

DCA assigned: R. Martinez

This litigation was brought against the City and Owner/Developers challenging the City's processes for condominium conversions. In closed session the City Attorney will update the Council on the status of the litigation

CS-2 *John Torres, Ronald Saathoff, Cathy Lexin, Terri Webster, Sharon Wilkinson, Mary Vattimo v. City of San Diego*

San Diego Superior Court Case No. GIC 852293

DCA assigned: A. Jones

Plaintiffs, former SDCERS board members, seek specific performance and declaratory relief demanding that the City defend and indemnify plaintiffs in two civil cases that the City has brought against plaintiffs. These cases are: *People of the State of CA v. Grissom et al* (GIC 850246) and *the City v. SDCERS et al.* (GIC 841845). Plaintiffs claim that the City through its City Council agreed to indemnify "all past and future members" of the SDCERS board, by way of Resolution No. R-297335. On August 3, 2005, a Motion was made to provide such a defense. The Motion failed 4-2. A Summary Judgment hearing was held on January 20, 2006, in which the court determined the plaintiffs were entitled to indemnification.